

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8815 K.F. & M.A. Clarke, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on June 22, 1966.

EFFECTIVE DATE OF ORDER -- August 9, 1966

ORDERED:

That the appeal for permission to establish parking lot for 15 trucks at 1733-35 Johnson Avenue, NW., lots 38 and 39, square 207, be granted conditionally.

FINDINGS OF FACT:

(1) Appellants' property is located in an R-5-B District. The immediate area is highly commercialized although there are residential uses to the south.

(2) An inspection of the property was made by the Board on June 13, 1966 and by Mr. Scrivener on August 5, 1966.

(3) At the times of both inspections, the lot was unimproved, with no paving, contained debris, and was being used as a parking lot.

(4) Appellant states that the lot has been used for parking for a period of 30 years. The lot was originally used by the Miller-Dudley Automobile Distributors who left the area approximately ten (10) years ago. The lot was then leased by the Corporate Press which used the lot until a year ago.

(5) Appellant proposes to lease the lot to one of the local utility companies.

(6) Subsequent to the hearing, a letter (Exhibit No. 5) was received from the James L. Dixon & Co., Realtors, indicating that the Chesapeake & Potomac Telephone Co. desired to use the lot for parking the private vehicles of its employees. Some trucks would be parked on the lot from time to time. The employees hours are 8:00 a.m. to 5:00 p.m. The automobiles would occupy the lot between approximately 7:45 a.m. and 5:15 p.m.

On Thursday, August 4, 1966, Mr. Schwartz, acting as agent for the owner-appellants, advised Mr. Scrivener that this letter was to be disregarded, and that the appeal should be decided as it was filed.

(7) The Department of Highways and Traffic offered no objections to the granting of this appeal "provided vehicles using the parking lot do not block the alley to other traffic."

(8) No opposition to this appeal was registered at the public hearing.

OPINION:

We are of the opinion that operation of a parking lot in the manner requested in this appeal, under the control of this Board, and in accordance with the requirements of this Order, will be less objectionable and will have a lesser impact on the neighborhood than the existing lot, which is unimproved, dirty, littered with trash and debris and is now used for uncontrolled parking. Accordingly, this appeal will be granted for a limited trial period of time and subject to the requirements set forth in this Order.

This Order shall be subject to the following conditions:

- (a) Permit shall issue for a period of one year, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (b) All areas devoted to driveways, access lanes and parking areas shall be paved with materials which form an all-weather impervious surface.
- (c) No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- (d) All parts of the lot shall be kept free of refuse and debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

- (e) No other use shall be shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.
- (f) Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.